

# Late Backup

#69

June 6, 2009  
Agenda Item # 64  
ZONING CASE C14-2008-0234

Honorable Mayor Will Winn and Council Members Lee Leffingwell, Mike Martinez, Randi Shade, Laura Morrison, Sheryl Cole and Mayor Pro Tem Brewster McCracken

The applicant has agreed to the 8ft. privacy fence, however, the neighborhood is requesting the Council to impose a requirement for an **8ft. solid, permanent fence** to be erected along the common property line that adjoins the residential lots to the north. Since an approved site plan is what is driving this zoning request for CS, please consider the following:

- Site Plan approved is for Convenience Storage use which is typically a 24/7 operation.
- Site Plan approved did not have to comply with Compatibility Standards.
- CEF buffers and water quality detention/filtration system at the front of the property has forced the building footprint to be pushed back closer to the residential properties.
- Per site plan approved, setback from back property line ranges from 10ft. to 17ft. Only 4 trees will remain in this strip...one is dead. The area is full of trash and debris that has accumulated over many, many years. No landscaping plan has been proposed to address this area.
- Per site plan approved, over 110 oak trees, many cedars and thick underbrush will be removed to accommodate 8 storage buildings. Bldg. layout shows no imagination or attempt to modify the layout to save more trees.
- Per site plan, 3 back buildings closest to residential lots have 5ft. separation thereby creating channels/echo chambers/directed sight views into residential backyards.
- Anderson Mill Road will be widened in the near future. Traffic noise will be closer to residential properties.
- Active **industrial use** on Tract 2.
- Façade on back of buildings is unknown at this time.
- Location of mechanicals to operate a climate-controlled facility is unknown at this time.
- Dumpster locations unknown at this time.
- Lighting...applicant responded to NP&Z that lights will be shielded and directed away from residential properties.
- Security mechanicals and alarms? Unknown.
- Day Care facility proposed on adjoining lot to the east has offered to provide an 8ft. 'sound retarding' fence along common boundary with residential properties as well as 8ft. 'sound retarding' fences along side lot lines for a minimum distance of 150ft.
- CS zoning would not normally be allowed abutting residential. CS also does not promote consistency with COAs plan to 'step down intensity' for zoning to ensure compatibility with surrounding commercial, civic, and residential land uses.
- The landowner in this zoning case owns approximately 50% of the undeveloped commercial properties that surround our neighborhood (see attached Exhibit). The issue of fencing will continue to be a high priority issue for the neighborhood as each parcel is presented for site plan/zoning review.

Thank you,

Cindy Barron, Acres West Homeowners Association



**1**  
**ACRES WEST**  
 Residential  
 Zoned "SF-2"  
 (FP annexed 12/31/08)

**2**  
**WOODLANDS @ LAKE CREEK**  
 Commercially Developed  
 Condos/HOA  
 (FP annexed 12/31/08)  
 Zoned "I-RR"

**3**  
**CATHYVILLE**  
 Commercial/Partially developed  
 (USES exist)  
 Partially "I-RR" & "SF-2"  
 (FP annexed 12/31/08)

**4**  
**BROZ Tract**  
 Commercial/Undeveloped  
 C14-05-0043  
 Zoned "GR-CO"

**5**  
**ANDERSON MILL CENTER**  
 Commercial/Undeveloped  
 Zoned "O"

**6**  
**STINGRAY**  
**AUTOMOTIVE REPAIR**  
 Commercially Developed  
 Zoned "GR"

**7**  
**LAND ROVER**  
**AUTOMOTIVE REPAIR**  
 Commercially Developed  
 Zoned "GR"

**8**  
**OFFICE CONDOS**  
 Commercially Developed  
 Zoned "GR"

**9**  
**VETERINARIAN**  
**CLINIC**  
 Commercially Developed  
 Zoned "GR"

**10**  
**LACKS**  
**SHOPPING CENTER**  
 Commercially Developed  
 Zoned "GR" & "CS"

**11**  
**CHAPEL OF THE HILLS**  
**Funeral Home**  
 Commercially Developed  
 Zoned "DR"  
 (FP annexed 12/31/08)

**12**  
**CHILDREN'S COURTYARD**  
**DAY CARE**  
 Commercial/Undeveloped  
 SP2008-0556C in process  
 Zoned "LO-CO"  
 (FP annexed 12/31/08)

**13**  
**ZFB Lot 2**  
**VALERO**  
**SERVICE STATION/**  
**CONVENIENCE STORE/**  
**CAR WASH**  
 Commercially Developed  
 "I-RR"  
 (FP annexed 12/31/08)

**14**  
**ZFB Lot 1**  
**MARQUIS RANCH**  
**SELF-STORAGE**  
**(SP-2008-0090D)**  
 Commercial/Undeveloped  
 "I-RR"  
 (FP annexed 12/31/08)

**ZFB Tract 1**  
 //a portion of Lot 1//  
 +see current zoning case ma  
 C14-2008-0234  
 Requesting "I-RR" to "CS"  
 (FP annexed 12/31/08)

**15**  
**BETHANY Lot 2**  
**CHURCH**  
 Commercial/Undeveloped  
 "I-RR"  
 (FP annexed 12/31/08)

**16**  
**BETHANY Lot 1**  
**CHURCH** Parking Lot  
 Commercially Developed  
 "I-RR"  
 (FP annexed 12/31/08)

**LEGEND**

-  COMMERCIAL
-  UNDEVELOPED

**ACRES WEST**  
**SURROUNDING PROPERTIES**

